

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
TAREK MEHANNA,)
Defendant.)
)

BEFORE THE HONORABLE GEORGE A. O'TOOLE, JR.
UNITED STATES DISTRICT JUDGE

DAY THIRTY-SEVEN
JURY TRIAL

John J. Moakley United States Courthouse
Courtroom No. 9
One Courthouse Way
Boston, Massachusetts 02210
Tuesday, December 20, 2011
9:20 a.m.

Marcia G. Patrisso, RMR, CRR
Official Court Reporter
John J. Moakley U.S. Courthouse
One Courthouse Way, Room 3510
Boston, Massachusetts 02210
(617) 737-8728

Mechanical Steno - Computer-Aided Transcript

1 APPEARANCES:

2 OFFICE OF THE UNITED STATES ATTORNEY

3 By: Aloke Chakravarty, Assistant U.S. Attorney

4 John Joseph Moakley Federal Courthouse

5 Suite 9200

6 Boston, Massachusetts 02210

7 - and -

8 UNITED STATES DEPARTMENT OF JUSTICE

9 By: Jeffrey D. Groharing, Trial Attorney

10 National Security Division

11 950 Pennsylvania Avenue, NW

12 Washington, D.C. 20530

13 On Behalf of the Government

14 CARNEY & BASSIL

15 By: J.W. Carney, Jr., Esq.

16 Janice Bassil, Esq.

17 John E. Oh, Esq.

18 20 Park Plaza

19 Suite 1405

20 Boston, Massachusetts 02216

21 - and -

22 LAW OFFICE OF SEJAL H. PATEL, LLC

23 By: Sejal H. Patel, Esq.

24 101 Tremont Street

25 Suite 800

Boston, Massachusetts 02108

On Behalf of the Defendant

7 The defendant, Tarek Mehanna, is present with counsel.
8 Assistant U.S. Attorney Aloke Chakravarty is present, along
9 with Jeffrey D. Groharing, Trial Attorney, U.S. Department of
10 Justice, National Security Division.)

11 THE CLERK: All rise for the Court and the jury.

12 (The Court and jury enter the courtroom at 9:20 a.m.)

13 | THE CLERK: Be seated.

14 THE COURT: Good morning, jurors.

15 THE JURORS: Good morning.

16 THE COURT: Let me look at you all and make sure
17 you're all here. You are. And I again ask you if you've all
18 abided by my instruction to avoid any discussion of the matters
19 of the case outside of the jury room. Have you all done that?
20 Okay. The jurors all indicate affirmatively.

Well, jurors, it's time to get back to work. We appreciate your service, and we ask you to continue your deliberations.

24 So we'll be in recess.

25 THE CLERK: All rise for the Court and the jury.

1 The Court will be in recess.

2 (The Court and jury exit the courtroom and there is a
3 recess in the proceedings at 9:21 a.m.)

4 (After the recess:)

5 THE CLERK: May I have your attention. We are about
6 to receive the verdict of the jury. We ask you to respect the
7 jury. There are to be no verbal or other demonstrations of
8 either approval or disapproval of the verdict within the
9 courtroom during the proceedings. The court security officers
01:48 10 will enforce this rule.

11 Thank you for your cooperation.

12 (Pause.)

13 THE CLERK: All rise for the Court and the jury.

14 (The Court and jury enter the courtroom at 11:08 a.m.)

15 THE CLERK: Will the jurors remain standing. Will the
16 defendant remain standing. Everyone else be seated.

17 Mr. Foreperson, has the jury agreed upon a verdict?

18 THE FOREPERSON: Yes, we have.

19 THE CLERK: May I have the form, please? Thank you.

01:51 20 (The Court reviews the verdict form.)

21 THE COURT: You may announce the verdict.

22 THE CLERK: Okay. In Criminal Action 09-10017, United
23 States of America versus Tarek Mehanna. With respect to Count
24 1 on the jury verdict form, as to Count 1 of the second
25 superseding indictment charging the defendant, Tarek Mehanna,

1 with conspiracy to provide material support or resources to a
2 designated foreign terrorist organization in violation of 18
3 U.S.C. 2339B, we, the jury, find the defendant guilty.

4 Count 2: As to Count 2 of the second superseding
5 indictment charging the defendant, Tarek Mehanna, with
6 conspiracy to provide material support to terrorists in
7 violation of 18 U.S.C. Section 2339A, we, the jury, find the
8 defendant guilty.

9 Count 3: As to Count 3 of the second superseding
01:52 10 indictment charging the defendant, Tarek Mehanna, with
11 providing and attempting to provide material support to
12 terrorists in violation of 18 U.S.C. Section 2339A, we, the
13 jury, find the defendant guilty.

14 Count 4: As to Count 4 of the second superseding
15 indictment charging the defendant, Tarek Mehanna, with
16 conspiracy to kill in a foreign country in violation of 18
17 U.S.C. Section 956, we, the jury, find the defendant guilty.

18 Count 5: As to Count 5 of the second superseding
19 indictment charging the defendant, Tarek Mehanna, with
01:53 20 conspiracy to make false statements in violation of 18 U.S.C.
21 Section 371, we, the jury, find the defendant guilty.

22 As to Count 6 of the second superseding indictment
23 charging the defendant, Tarek Mehanna, with making false
24 statements in violation of 18 U.S.C. Section 1001, we, the
25 jury, find the defendant guilty.

1 If you find the defendant guilty on Count 6, please
2 answer yes or no as to whether the jury unanimously finds that
3 the government has proven beyond a reasonable doubt that the
4 defendant made these false statements during an investigation
5 involving international terrorism: Yes.

6 Mr. Foreperson, is that your verdict?

7 THE COURT: Wait a second. You have Count 7. Count
8 7.

9 THE CLERK: My apologies.

01:54 10 As to Count 7 of the second superseding indictment
11 charging Tarek Mehanna with making false statements in
12 violation of 18 U.S.C. Section 1001, we, the jury, find the
13 defendant guilty.

14 If you find the defendant guilty on Count 7, please
15 answer yes or no as to whether the jury unanimously finds that
16 the government has proven beyond a reasonable doubt that the
17 defendant made these false statements during an investigation
18 involving international terrorism: Yes.

19 Mr. Foreperson, is that your verdict?

01:54 20 THE FOREPERSON: Yes.

21 THE CLERK: And so say you all?

22 THE JURORS: Yes.

23 THE COURT: All right. You may be seated. Not the
24 jury. The defendant may be seated.

25 Jurors, with your verdict in the case your service as

1 jurors is at an end. We thank you for your service. We know
2 how extraordinary it has been. We appreciate the difficulty of
3 the issues presented to you and the care with which you have
4 addressed them.

5 As your service is now at an end, you are discharged
6 as jurors and you may go. If you go in to the back room, I'll
7 be in in just a few minutes to say an informal good-bye to you
8 before you go on your way, all right?

9 We'll excuse the jury.

01:55 10 THE CLERK: All rise for the jury.

11 (The jury exits the courtroom at 11:13 a.m.)

12 THE COURT: I simply want to set a date for
13 sentencing. We've looked at the calendar. I think we'll need
14 some time for this. The date we suggest is Thursday, April
15 12th, at 2 p.m.

16 THE CLERK: At 2 p.m.

17 MR. CARNEY: May I have one minute, your Honor,
18 please?

19 (Pause.)

01:56 20 MR. CARNEY: April 12 at 2 p.m.?

21 THE COURT: Yes.

22 MR. CARNEY: That's fine.

23 THE COURT: Is that fine for the government?

24 MR. CHAKRAVARTY: Yes.

25 THE COURT: All right. Let me just thank counsel for

1 a very professionally presented case. Thank you.

2 We'll be in recess.

3 THE CLERK: Court will be in recess.

4 (The Court exits the courtroom and the proceedings

5 adjourned at 11:15 a.m.)

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C E R T I F I C A T E

3 I, Marcia G. Patrisso, RMR, CRR, Official Reporter of
4 the United States District Court, do hereby certify that the
5 foregoing transcript constitutes, to the best of my skill and
6 ability, a true and accurate transcription of my stenotype
7 notes taken in the matter of Criminal Action No.

8 09-10017-GAO-1, United States of America v. Tarek Mehanna.

10 /s/ Marcia G. Patrisso
11 MARCIA G. PATRISSO, RMR, CRR
Official Court Reporter

Date: December 20, 2011